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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

RICHARD OWENS,

Defendant and Appellant.

B264573

(Los Angeles County
Super. Ct. No. BH009871)

APPEAL from an order of the Superior Court of Los Angeles County, William C. Ryan, Judge. Dismissed.

Richard Owens, in pro. per., for Defendant and Appellant.

Kamala Harris, Attorney General, Lance Winters, Senior Assistant Attorney General, and Steven Mercer, Deputy Attorney General, for Plaintiff and Respondent.

Defendant, Richard Owens, purports to appeal from an order denying his habeas corpus petition. We noted that such an order does not appear to be appealable. We have a duty to raise issues concerning our jurisdiction on our own motion. (*Jennings v. Marralle* (1994) 8 Cal.4th 121, 126; *Olson v. Cory* (1983) 35 Cal.3d 390, 398.) We placed the issue of dismissal on calendar. The denial of a habeas corpus petition is not appealable. (*In re Clark* (1993) 5 Cal.4th 750, 767, fn. 7; *In re Hochberg* (1970) 2 Cal.3d 870, 876, disapproved on other grounds in *In re Fields* (1990) 51 Cal.3d 1063, 1070, fn. 3.) Thus, the appeal must be dismissed.

The appeal is dismissed.

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TURNER, P. J.

We concur:

KRIEGLER, J.

BAKER, J.